

-v-

**07 Cr 814 (JFK)**

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF NASSAU )

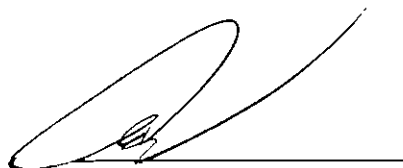
ALAN M. NELSON, ESQ., being duly sworn, deposes and says:

1. I am an attorney admitted to practice before this Court, and have been appointed, under the Criminal Justice Act, to represent, RODOLPHE NOGBOU in the above-captioned case.
2. The instant affirmation is made in support of defendant's ex parte application under 18 USC Sec. 3006A (e) for the provision to him of funds to conduct a review and video enhancement of a Video recording derived from the surveillance video camera located at the Worth Street entrance to the Federal Courthouse, 500 Pearl Street, N.Y., N.Y. made on August 22, 2007 between 12:00-12:20 P.M.
3. Following a review of a copy of the video recording provided by the government pursuant to Rule 16 Discovery, it is apparent that the recording will be the most significant portion of the evidence presented in the trial of the defendant.
4. It is likewise evidence that the recording is not of the highest technical quality which is significant in that portions of the images depicted thereon are not completely clear.


5. I have contacted Sam Verga, the Director of Sales and Marketing for VidiPax, LLC, a premier provider of audio, video film and data restoration and preservation company and provided him with the above described information. As the annexed letter from Mr. Verga and the accompanying materials concerning the qualifications of VidiPax reflect the entity comprises qualified video and audio forensic experts. They ~~has~~ <sup>have</sup> been qualified to testify in federal court to testify on behalf of both the government and defense approximately, has participated in a multitude over forensic evaluations and video enhancements in connection with federal trials.


6. Mr. Verga as the annexed letter indicates will accept the assignment at his standard government billing rate. As the annexed quote states the total cost of enhancement is \$7,156. Following discussion with Assistant United States Attorney John Cronan, I have been informed that the government is prepared to pay for one half of expense.

7. Accordingly, I am requesting authorization for \$3,578.00 for purposes of retaining the services of VidiPax, LLC to clean and enhance the video recording made on August 22, 2007. Based upon all the foregoing, defendant requests that the court sign an Order permitting the hiring and payment of up to \$3,578.00 in expenses under CJA auspices (18 U.S.C. 3006A), for VidiPax, LLC.

  
Alan M. Nelson, Esq.

Dated: Lake Success, N.Y.  
December 17, 2007

  
Sworn to before me this  
17th day of December 2007

RONALD ROCKOWER  
NOTARY PUBLIC, State of New York  
No. 02R05083306  
Qualified in Nassau County  
Commission Expires August 11, 2009 

Over [REDACTED]

**VidiPax is the premier provider of audio, video, film and data restoration, preservation and archiving services.**

VidiPax continuously improves the effectiveness of our own methods by developing and assimilating new technologies, techniques, and procedures. In turn we provide these services to our customers. We develop project management strategies, training programs, workflow analysis, production documents, and procedures manuals for non-standard applications, specifically tailored to individual collections, and when necessary, designed for deployment.

- Media Recovery, Migration and Conversion of Data, Audio, Video and Film
- Forensics, Authenticity, Voice Identification, Enhancement
- Audio/Voice Encoding & Streaming
- Re-formatting, Archiving, Preservation and Restoration
- Film and Video Color Correction
- Editing, DVD Authoring, Slating, Titling, Master Formatting
- Audio Re-mastering, Mastering and Mixing

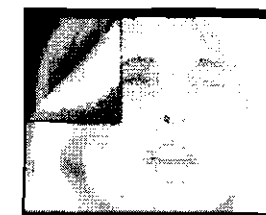


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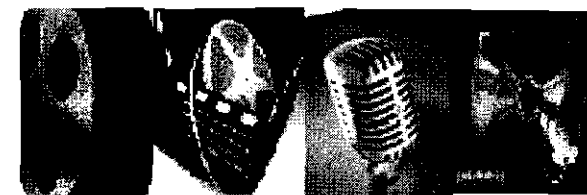
**VidiPax, LLC**  
30-00 47th Ave. Sixth Floor  
Long Island City, NY 11101

(718) 482-7111  
Fax: (718) 482-1370  
1-800-653-8434  
[www.vidipax.com](http://www.vidipax.com)



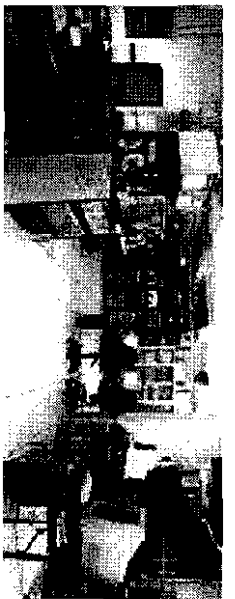
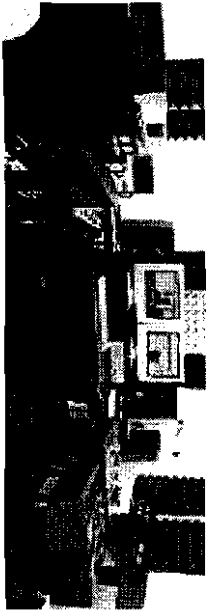
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Vidipax, LLC is the premier provider of audio, video, film and data restoration, preservation and archiving services. Our capabilities include the acquisition, recovery, management, migration, and conversion of media assets.

These services include traditional preservation and restoration of original elements including those that are fragile, damaged or deteriorated; forensic migration and reformatting of content to any and all formats as well as audio-visual web streaming. Vidipax has grown its Digital Media Services (DMS) department to include evidentiary investigation, processing and analysis, audio and video restoration, triage and disaster recovery, facilities design and management, research and software development, and metadata collection, cataloging and data entry.

Our highly trained technicians and engineers monitor each piece of media through all the stages necessary to ensure the final result is as good or better than the original. **Quality control is our top priority.**

Our facility in New York is over 19,000 square feet. It is the only facility in the world designed specifically for media restoration purposes. We provide a "clean" environment for media in our care. This area is maintained at a constant 68 degrees and 45 percent humidity, considered to be ideal. Air filters provide the laboratory with an environment that is free of dust and other airborne particles that might contaminate media.

Our staff are highly trained professionals who work with irreplaceable collections on a daily basis. Vidipax clients include the NBC News Archive, Library of Congress, Yale University, and the Andy Warhol Foundation, in addition to many other leading broadcasters and archives.

We own and maintain an unparalleled number of reproduction devices for a multitude of formats, many of which are obsolete and/or obscure, e.g. wax cylinders, dictabelts, wire recordings, glass disks, 2" Quadraplex video (NTSC, PAL, SECAM, M\_SECAM), 1/2 inch open reel, NAGRA, obsolete data formats, etc. Our work can be performed at our production facility, at a customer's site, or at site belonging to one of our teaming partners.



|  |   |
|--|---|
| <b>Format Transformation</b> <ul style="list-style-type: none"> <li>• Migration</li> <li>• Conversion</li> <li>• Digitization</li> </ul> | <b>Information</b> <ul style="list-style-type: none"> <li>• Extraction</li> <li>• Categorization</li> <li>• Exploitation</li> </ul> |
| <b>Restoration, Recovery, archive solutions for film, audio</b>  | <b>High efficiency processing systems</b>   |
| <b>On-site assessment, collection, cataloging and data entry</b>   | <b>Expert witness services, including testimony</b>   |
| <b>Forensic media acquisition, analysis and investigation</b>  | <b>Top Secret Security Clearance</b>  |
|  | <b>GSA Pricing</b>  |

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## Vidipax, LLC

30-00 47th Ave. Sixth Floor  
Long Island City, NY 11101

(718) 482-7111

Fax: (718) 482-1370

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prohibited, without the prior written consent from VidiPax. All rights reserved. This e-mail should be deleted from your system. Please notify the sender immediately by e-mail if you have received this e-mail by mistake.

**From:** Sam Verga  
**Sent:** Wednesday, October 31, 2007 3:17 PM  
**To:** 'Alan Nelson Esq. (anelsonlaw@aol.com)'  
**Subject:** VidiPax Capabilities

Hi Alan:

Pursuant to our previous conversation, attached is information relevant to the forensic capabilities of VidiPax.

### **Investigation & Evidence Recovery Capabilities**

VidiPax, LLC is the premier provider of audio, video and computer forensics services to government agencies, justice and legal communities, private investigators, and corporate security departments.

Our services include:

- Investigation methodologies
- Collection of evidence
- Recovery of evidence (from all types and formats of media)
- Analysis and information extraction
- Forensic preservation
- Expert witness services (including testimony)
- Creation of mixed media presentations
- Videotaping of depositions, legal proceedings
- Triage of media that is fragile, damaged or deteriorated
- On site situation assessment

Our customers include:

- The 9/11 Commission
- The Federal Bureau of Investigation
- New York City Law Department
- Securities and Exchange Commission
- Defense Intelligence Agency

Serving the industry for over 17 years, VidiPax uses a combination of state of the art technologies, industry standards, sophisticated signal analysis techniques and proprietary formulas to provide work products that are accurate, comprehensive and unique.

Our staff has technical and management depth, and includes individuals with education and experience in criminal justice, chemistry, audio, video and electrical engineering, and digital management services.

VidiPax LLC was founded in 1990. Our past performance profiles a record of consistent success. Located in Long Island City, New York, our 19,000 square foot production facility includes an unparalleled inventory of audio, video and computer equipment. We perform work at our facility or the site selected by our customer. VidiPax has a "Top Secret Facility Clearance" from the Department of Defense.

We stand at the ready to assist with any and all of your Investigation, Evidence Recovery, Audio, Video and Computer Forensic needs.

#### Key Personnel Matrix

| Name           | Function                       | Experience  |
|----------------|--------------------------------|---|
| Bob Daly       | Chief Operating Officer        | Over 30 years experience in Software Engineer<br>Currently VidiPax Executive / Acting COO / C<br>Software Architect. Responsible for growing a<br>coordinating project management, quality assurance<br>data restoration and recovery projects.<br><br>Initiated the recovery of legacy and contempor<br>recovery procedures to augment VidiPax' present<br>audio and video technologies<br><br>Previous <i>Vice President</i> of Engineering, NetW<br>Division Cheyenne Software.  |
| Glenn Beatty   | Director of Operation          | Over 20 years of experience as Director of Operations<br>Production Supervisor, Administrator, Producer<br>and Writer in the media industry. He is a creative<br>experienced manager, qualified in all aspects of<br>production and post-production: broadcast & cable<br>network, corporate, and the Internet. For the last<br>half years Glenn was in charge of the day to day<br>operations of Globalvision, an international Digital<br>Production company, wearing both Administrative<br>Digital Media Production hats. |
| Robert Schuman | Director of Strategic Planning | Over 30 years of experience in technical operations<br>including working with such diverse companies<br>Dow Jones, and Sesame Workshop. For the past<br>years he has been consulting on digital work flow   |

|                 |                                    |  |
|-----------------|------------------------------------|--|
|                 |                                    | recently as the Video Systems Architect for Th<br>NewsMarket, the global distributor of broadca<br>news video over the internet. As previous Dir<br>Technical Operations Sesame Workshop, Rob<br>instrumental in the digital conversion and pres<br>a video library which dates back to the first Se<br>in 1969.   |
| Sam Verga       | Director of Sales &<br>Marketing   | Previously employed by CCF, Ltd. as its <i>Presi</i><br>has over 35 years of Sales/Marketing Manager<br>experience and corporate Operations experienc<br>acquired a wide range of previous experience i<br>of domestic and international sales and market<br>development, sales operations and marketing p<br>design, planning and management. He displays<br>ability to devise and implement winning sales<br>marketing strategies resulting in increased gro |
| John Narus      | Director of Advanced<br>Technology | Over 12 years of experience in IT Engineering<br>Senior Program Manager/Principle Engineer H<br>continuous involvement in project work to full<br>understand technology affects on production c<br>and workflow.<br><br>Project Clients: NASA, Defense Intelligence A<br>NBC, National Archives, HBO, Whitney Musc<br>IBM, Andy Warhol Foundation, Smithsonian I<br>PBS, Library of Congress, Guggenheim, Coca<br>Sony, MOMA, Ralph Lauren, Yoko Ono John      |
| Robert Michelem | Production Manager                 | Audio-Visual Engineer; 7-years of ex<br>working in media libraries and archiv<br>Extensive technical knowledge.  |
| Amir Khan       | Chief Engineer                     | Electrical Engineer; 20-years of expe<br>working with video and film; Transfe<br>color corrected archival films for Vidil<br>1997  |
| Ryan Pettigrew  | Project Supervisor                 | Coca-Cola Ad Preservation Project Supervisor<br>years work experience in the archival preserva<br>library science disciplines, with 2 + years expe<br>planning, managing, implementing and superv<br>term project.   |
| Herb Brooks     | Quality Control<br>Manager – Film  | Coca-Cola Ad Preservation Project Fil<br>Manager; 4 years of film preparation<br>cleaning; 8 years in video production   |

Thank you for your consideration, and please know I am at your disposal.

## Sam

Samuel D. Verga

*Director, Sales & Marketing*  
**VidiPax, LLC**

Preserving Yesterday for Tomorrow  
30-00 47th Avenue, Sixth Floor  
Long Island City, New York 11101  
Tel: (718) 482-7111 x121  
Fax: (718) 482-1370  
sverga@vidipax.com  
www.vidipax.com

# Services



# Guide

## Audio Formats

## Video Formats

## Film

## Encoding

## Data

1/4" Open Reel - all track  
formations

16MM Color

Data Recovery from  
physically damaged media

Cassette, micro-cassette, dicta-  
phone

16MM B/W

Data Recovery from  
formatting, deletion,  
corruption, and operating  
system crashes

Wire

35MM Color

4mm 8mm

Cylinder

35MM B/W

9 track reel

Disc - 78 - 33 - 45

Datacine transfers

Dicathbelt

8mm Color, B/W

LTO

ADAT

Davinci Color-correction

1/4" data cartridges

DTRS

FCP Color-Correction

Optical Media

DAT

1/2", 1/4", 1", 2" Analog & Digital  
Open Reel for 2track or Multitrack

Audio Encoding and Streaming for  
Network and Web Access

Audio Mastering

Audio Digitization supporting all  
Lossless, Lossy, Compressed and  
Uncompressed formats

RAW DV and DVCPRO Format

OMFI

3GPP

MPEG2 HDV 480i/p, 720i/p

Windows Media HD 720i/p, 1080i/p

NLE Video Format Conversion: DV  
EDIUS, DV Pinnacle, DV Premiere,  
QuickTime for AVID and FCP

Encoding/Transcoding for DVD  
Authoring preparation: Sonic, Studio  
Pro, etc.

H.264 AVC

Hard Disk



## Special Services

Video Collection Appraisal and Valuation

Archival and Library Services

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### Confidential VidiPax, LLC Cost Estimate

This represents VidiPax, LLC's Standard Cost Estimate is for the purpose of cost estimation only. VidiPax, LLC does not warrant to have any knowledge of source media condition or length prior to having received the media with the signed Services Agreement and Cost Estimate. Any final costs associated with the completion of the work as ordered will be in accordance with the terms of the purchase agreement. VidiPax, LLC will contact client with any significant change in this estimate due to the condition or length of client supplied media prior to work performance. Price quotes will be honored for work materials that arrive at VidiPax within 30 days of quotation.

Recipients of this Estimate acknowledge that all information contained herein is the confidential property of VidiPax, LLC, and shall not, except when specifically given permission by authorized personnel of VidiPax, LLC, divulge or confer to any person, entity or public/private domain whatsoever nor otherwise make use of any confidential information contained herein. Recipients of this Estimate shall endeavor to prevent the publication or disclosure of any confidential information, prices or services contained within this document.

Alan Nelson, Esq.  
 3000 Marcus Ave. Suite 1E5  
 New Hyde Park, NY 11042  
 (516) 328-6200  
 anelsonlaw@aol.com

REQUESTED  
 VIA FAX  
 12/17/2007  
 (516)  
 328-6354

12/17/07

### SERVICE DESCRIPTION

Enhancement of source videotape(s) provided by client and/or District Attorney's Office to the highest resolution & quality in an attempt to forensically analyze the contents pursuant to guidelines offered by the aforementioned.

1. Clean source videotape(s)
2. Monitored Transfer supervised by Client and/or Police Dept. and/or District Attorney's Office responsible for chain of custody
3. Enhancement of videotape/transfer
4. Forensics analysis of images
5. Transfer to uncompressed digital file on (2) onto Hard Drive
6. Full written report of analysis and conclusions

Any extraordinary cleaning efforts billed at an hourly rate of \$145.00/hr.

◆ Please note if client wishes to be present during any of the above processes they will incur additional charges of \$225.00/hr. monitored transfer rate

All prices assume the condition of the original media to be of good quality.

|  | <b>UNIT</b> | <b>TOTAL</b> |
|--|-------------|--------------|
| Monitored Transfer with NYPD present - Estimated 3 hrs.  | \$225.00/hr | \$675.00     |
| Enhancement of videotape/transfer - Estimated 5 hrs.     | \$315.00/hr | \$1,575.00   |
| Forensics analysis of images - Estimated 15 hrs.         | \$315.00/hr | \$4,725.00   |
| Destination Format - Qty. (2) Uncompressed digital files | \$26.00     | \$56.00      |
| Stock: Qty. (1) 480-GB HD - Includes formatting & QC     | \$125.00    | \$125.00     |

For any questions, please do not hesitate to call:  
 Sam Verga, Director of Sales & Marketing  
 (800) OLD-VIDI (718) 482-7111 ext. 22  
 E-mail: [sverga@vidipax.com](mailto:sverga@vidipax.com)



10-20 17th Ave, Suite 200 Long Island City, NY 11101 Tel: (718) 482-7111 Fax: (718) 482-1311

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|  |              |                   |
|--|--------------|-------------------|
| <b>Shipping:</b> Overnight Delivery unless otherwise specified<br>(TBD=To Be Determined) | TBD          | TBD               |
| <b>Tax:</b> New York State Residents Only  | TBD          | TBD               |
| <b>50% deposit required</b>  | <b>Total</b> | <b>\$7,156.00</b> |

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 Sam Verga, Director of Sales & Marketing  
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 E-mail: [sverga@vidipax.com](mailto:sverga@vidipax.com)